

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE

COINTERRA, INC.

DEBTOR

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CASE NO. 15-10109-HCM

CHAPTER 7

APPLICATION OF TRUSTEE TO EMPLOY
BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP,
AS GENERAL COUNSEL FOR THE ESTATE

This pleading requests relief that may be adverse to your interest. If no timely response is filed within twenty-one (21) days from the date of service, the relief requested herein may be granted without a hearing being held. A timely filed response is necessary for a hearing to be held.

TO THE HONORABLE H. CHRISTOPHER MOTT, U. S. BANKRUPTCY JUDGE:

COMES NOW Randolph N. Osherow, Trustee, the duly appointed chapter 7 trustee in the above-referenced case ("Trustee"), and files this *Application of Trustee to Employ Barrett Daffin Frappier Turner & Engel, LLP, as General Counsel for the Estate*, and would show the Court as follows:

1. This case was filed as a chapter 7 bankruptcy on January 24, 2015, at which time Randolph N. Osherow was appointed as trustee.

2. In this proceeding there are various legal matters requiring the services of an attorney, including, but not limited to, representing and advising the Trustee regarding the possibility of liquidation of assets of the estate free and clear of liens; reviewing and advising the Trustee regarding all executory contracts; reviewing and advising the Trustee regarding Preference and Fraudulent Transfer causes of action and possibly prosecuting those causes of action; reviewing and advising the Trustee regarding all pre-petition lawsuits filed by and against the Debtor; reviewing and advising the Trustee regarding any post-petition lawsuit to be filed by the Debtor; negotiating with the Debtor's landlord; reviewing and advising the Trustee regarding all motions for relief filed; reviewing and advising the Trustee on all patents and patents pending; and reviewing and advising the trustee on the collectability of accounts receivable.

3. Trustee would further show that Steve Turner and the law firm of Barrett Daffin Frappier Turner & Engel, LLP, with offices at 610 West 5th Street, Suite 602, Austin, Texas 78701, phone (512) 687-2500, fax (512) 477-1112, email: stevet@bdfgroup.com, are duly licensed and qualified attorneys before this Court and are therefore qualified to act as general counsel for the estate.

4. To the best of Trustee's knowledge, information and belief, Steve Turner and the law firm of Barrett Daffin Frappier Turner & Engel, LLP, neither represent nor hold any interest adverse to the estate in the matters in which they are to be engaged as attorney. Trustee believes that their employment would be in the best interest of the estate.

5. No other attorneys have been previously employed pursuant to Court order in this case.

6. Trustee believes that said attorneys should be employed on an hourly fee basis at the following rates:

Steve Turner	\$ 350.00
Brian S. Engel	\$ 350.00
Abbey Ulsh	\$ 275.00
Marsha G. Kocurek, Paralegal	\$ 125.00
Erin May, Legal Assistant	\$ 100.00

for all time billed for services performed, with all fees and expenses subject to review by the Court, and provided that payment of any compensation and expenses shall only be by and upon further order of this Court.

WHEREFORE, Trustee prays that the Court authorize him to employ Steve Turner and the law firm of Barrett Daffin Frappier Turner & Engel, LLP, as general counsel for the estate.

Respectfully submitted,

/s/ Randolph N. Osherow (by permission)

Randolph N. Osherow
342 West Woodlawn, Suite 300
San Antonio, Texas 78212
Telephone: (210) 738-3001
Facsimile: (210) 737-6312
rosherow@hotmail.com

CHAPTER 7 TRUSTEE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
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IN RE

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CASE NO. 15-10109-HCM

CHAPTER 7

**DISCLOSURE OF COMPENSATION UNDER 11 U.S.C. § 329
AND BANKRUPTCY RULE 2016(b)**

I certify that Barrett Daffin Frappier Turner & Engel, LLP ("the Firm") is the general counsel for the estate in the above-named case and that the compensation paid or agreed to be paid to the Firm for services rendered, or to be rendered, on behalf of the estate in or in connection with a case under Title 11 of the United States Code, such payment or agreement having been made after one year before the date of the filing of the petition, is as follows:

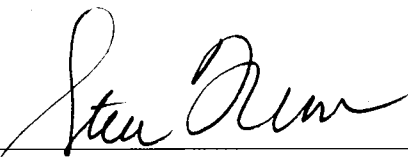
No retainer, compensation, or other payment has been received by the Firm thus far in connection with its employment by the trustee in this case.

All fees and expenses to be paid to the Firm are subject to prior approval by the Court after notice as required by law. The Firm's present hourly rates are as follows:

Steve Turner	\$ 350.00
Brian S. Engel	\$ 350.00
Abbey Ulsh	\$ 275.00
Marsha G. Kocurek, Paralegal	\$ 125.00
Erin May, Legal Assistant	\$100.00

The Firm has not agreed to share this compensation with any other person or firm.

Dated: March 5, 2015



Steve Turner

AFFIDAVIT OF STEVE TURNER

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

I, Steve Turner, do state under penalty of perjury that the Firm:

(A) neither represents nor holds an interest adverse to the debtors or to the estate in the matters upon which it is to be engaged as attorney; nor does it have any other connection with the United States Trustee for the Western District of Texas or his employees;

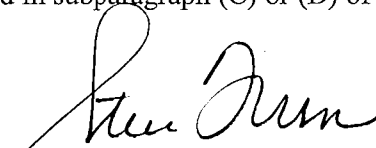
(B) is not a creditor, an equity security holder, or an insider;

(C) is not and was not an investment banker for any outstanding security of the debtors;

(D) has not been within three years before the date of the filing of the petition, an investment banker for a security of the debtors, or an attorney for such an investment banker in connection with the offer, sale, or issuance of a security of the debtors;

(E) has not and was not, within two years before the date of the filing of the petition, a director, officer or employee of the debtors or of an investment banker specified in subparagraph (C) or (D) of this paragraph; and

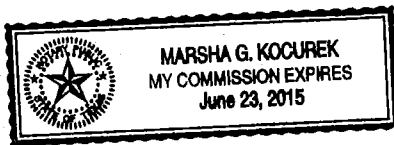
(F) does not have an interest materially adverse to the interest of the estate or of any class of creditors or equity security holders, by reason of any direct or indirect relationship to, connection with, or interest in, the debtors or an investment banker specified in subparagraph (C) or (D) of this paragraph, or for any other reason.

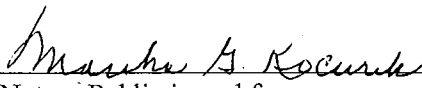


Steve Turner

BEFORE ME, the undersigned authority, on this day personally appeared Steve Turner, known to me to be the person whose name is subscribed to the foregoing affidavit, and being by me duly sworn, did upon his oath affirm that the statements set forth therein are true and correct.

Given under my hand and seal of office this 5th day of March, 2015.





Notary Public in and for
The State of Texas

CERTIFICATE OF SERVICE

By my signature below, I hereby certify that on the 5th day of March, 2015, a true and correct copy of the foregoing document was served upon all parties listed on the attached mailing matrix via electronic means as listed on the Court's ECF noticing system or by regular first class mail.

Cointerra, Inc.
11130 Jollyville Road, Suite 303
Austin, Texas 78759
DEBTOR

United States Trustee
903 San Jacinto Boulevard, Suite 230
Austin, Texas 78701

C7 Data Centers, Inc.
c/o R. Adam Swick
Reid Collins & Tsai, LLP
1301 South Capital of Texas Highway
Building C, Suite 300
Austin, Texas 78746
PARTY REQUESTING NOTICE

Timothy A. Davidson, II
Andrews & Kurth, LLP
600 Travis, Suite 4200
Houston, Texas 77002
ATTORNEYS FOR DEBTOR

Fortis Advisors, LLC, Collateral Agent
c/o Edwin P. Keiffer
Wright Ginsberg Brusilow, P.C.
325 North St. Paul Street, Suite 4150
Dallas, Texas 75201

Future Electronics Corp.
c/o Lynn Saarinen
Barron & Newburger, P.C.
1212 Guadalupe, Suite 104
Austin, Texas 78701

/s/ Steve Turner

Steve Turner